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January 22, 2021

VIA ECF

The Honorable Vernon S. Broderick, U.S.D.J.
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *Izquierdo v. Panera Bread Company*
18-cv-12127-VSB

Dear Judge Broderick:

We are counsel to Plaintiff in the above-captioned action. We wrote to the Court on November 25, 2020, with Defendants' consent, requesting that discovery in this case be stayed, as the parties had agreed to engage in mediation. The Court granted the parties' request through its Order of November 30, 2020 (Dkt. No. 51). Regretfully, we now write to ask the Court to lift the stay and set new discovery and motion deadlines.

This is the result of Defendant's consistent uncooperativeness in scheduling a mediation. On November 25, 2020, Plaintiff sent Defendant a list of 13 potential mediators. To date, Defendant has not agreed to any of these. Nor has it proposed its own mediators. Defendant's counsel did send us the bios of 3 potential mediators on January 12, 2021, but it then turned out that counsel had not actually obtained approval for these individuals from her client. Thus, these names are useless. Moreover, the fees for these mediators will end up running at least \$30,000. Plaintiff believes he has spent too long sending Defendant constant reminders to fulfill its obligations. Accordingly, we respectfully ask that the Court lift the stay and set new discovery and motion deadlines. Plaintiff proposes that the deadlines set out in the Court's Scheduling Order of July 1, 2020 (Dkt. No. 49) be extended by 4 months.

We thank Your Honor for considering our request.

Respectfully submitted,

/s/ C.K. Lee

C.K. Lee, Esq.

cc: All parties via ECF